

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE SILVERFERN GROUP, INC.,

Plaintiff,

- *against* -

ePALS CLASSROOM EXCHANGE, INC.,

Defendant.

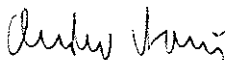
Case No. 06 CV 15404 (LBS)

NOTICE OF CROSS-MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Opposition to Plaintiff's Motion for Summary Judgment and in Support of Defendant's Cross-Motions for (1) partial summary judgment dismissing Plaintiff's claim for attorneys' fees and expenses and (2) discovery pursuant to Federal Rule of Civil Procedure 56(f), the Affidavit of James C. Sherwood Pursuant to Federal Rule of Civil Procedure 56(f), and Defendant's Local Civil Rule 56.1 Statement of Undisputed Facts, all dated March 27, 2007, and the exhibits attached thereto, Defendant ePALS Classroom Exchange, Inc. will move this Court before the Honorable Leonard B. Sand, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on April 12, 2007 at 2:15 P.M, or at such time as the Court may direct, for an order: (1) dismissing Plaintiff's claim for attorneys' fees and expenses and (2) granting discovery pursuant to Federal Rule of Civil Procedure 56(f); and (3) granting to Defendant such other and further relief as the Court deems appropriate.

Dated: New York, New York
March 27, 2007

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